

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
3

4 STUDENTS FOR FAIR ADMISSIONS,  
5 INC., )

6 Plaintiffs, )

7 v. )

8 THE UNIVERSITY OF NORTH  
9 CAROLINA AT CHAPEL HILL, et al., )

10 Defendants. )

Case No. 1:14-CV-954

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12  
13  
14 THE DEPOSITION OF [REDACTED] taken on behalf  
15 of the Defendants, before Suzanne G. Patterson, Registered  
16 Professional Reporter and Notary Public, at the Offices of  
17 North Carolina Department of Justice, 114 West Edenton  
18 Street, Raleigh, North Carolina, on Wednesday, June 21,  
19 2017, commencing at the hour of 9:09 a.m.  
20  
21

22 \*\*\* THIS TRANSCRIPT IS HIGHLY CONFIDENTIAL \*\*\*

23 \*\*\* FOR ATTORNEYS' EYES ONLY \*\*\*  
24  
25

1 BY MR. SCUDDER:

2 Q. Okay.

3 A. I have also -- or I might have to retract part of  
4 my answer. I have also spoken with some of the lawyers  
5 involved in this case.

6 Q. Sure. Don't tell me what you've spoken to them  
7 about.

8 A. Of course.

9 Q. All right.

10 A. Should I name them?

11 Q. No. I assume there's a couple of them are sitting  
12 here and maybe there's others as well?

13 A. Yes.

14 Q. No problem.

15 A. And that is all that I can name.

16 Q. Okay. What does Students For Fair Admissions do  
17 from day-to-day?

18 A. I don't know.

19 Q. When did you first hear about the organization?

20 A. In the summer of 2014 or, I'm sorry, summer  
21 of 2013.

22 Q. Okay. How'd you hear about it?

23 A. Through my father.

24 Q. Okay. What'd your father tell you about it?

25 A. He told me that -- this was, actually, I guess

1 before Students For Fair Admissions was officially formed, I  
2 guess, my father told me about Edward Blum and the fact that  
3 he was looking for people who may have standing in a lawsuit  
4 such as the one we're in now. As someone who was -- someone  
5 who was -- who had applied to UNC Chapel Hill and not  
6 gotten in and has relatively decent high school credentials,  
7 I seemed like a good candidate so he brought it up.

8 Q. And you put this in the summer of 2013?

9 A. It must have been more like spring of 2014. I  
10 apologize for --

11 Q. It's okay.

12 MR. STRAWBRIDGE: You're just doing the best you  
13 can.

14 MR. SCUDDER: You don't have to apologize, just  
15 tell me to the best of your recollection.

16 THE WITNESS: Okay. It was spring 2014.

17 BY MR. SCUDDER:

18 Q. And so let's go back to when did you graduate from  
19 high school?

20 A. In spring 2014.

21 Q. And that's about the same time that you recall this  
22 conversation with your father?

23 A. Yes.

24 Q. Okay. And so by that point in time you would have,  
25 correct me if I'm wrong here, you would have applied to UNC

1 Chapel Hill and learned that your application was denied?

2 A. It was -- it had either been denied or at that  
3 point it may have been deferred, for I had applied early.  
4 It eventually, of course, was denied but I'm not sure  
5 exactly when in that timeline I heard about Edward Blum.

6 Q. Got it. But the first recollection you have of  
7 learning of Mr. Blum was through your father?

8 A. Yes.

9 Q. Does your father know Mr. Blum?

10 A. Not personally or not at the time.

11 Q. Do you know how your father learned about Mr. Blum  
12 to tell you about him?

13 MR. STRAWBRIDGE: Object to the form of the  
14 question.

15 THE WITNESS: Through the internet is all I know.

16 BY MR. SCUDDER:

17 Q. Okay. And you said that in substance what your  
18 father had told you was that Mr. Blum was looking for people  
19 who may have standing to pursue a claim or a cause against  
20 the University of North Carolina at Chapel Hill; is that  
21 right?

22 A. Yes, I think so.

23 Q. And what did you understand that to mean?

24 A. What did I understand that to mean at the time?

25 Q. Yeah, at the time, right.

1 A. Someone who may have been prevented from -- I'm  
2 sorry, I'm trying to collect my thoughts for a second. I  
3 understand it to mean someone who had a reasonable chance to  
4 be admitted into the university but -- or based on the  
5 application content, other than race, but was not an  
6 under-represented minority according to UNC Chapel Hill and  
7 did not get in.

8 Q. So your father told you about Mr. Blum and did he  
9 suggest that you get in touch with him or where'd that  
10 conversation go?

11 MR. STRAWBRIDGE: Object to the form of the  
12 question.

13 THE WITNESS: He said that, if this was something I  
14 was interested in, then he could put me in contact with  
15 Edward Blum.

16 BY MR. SCUDDER:

17 Q. And how did you respond?

18 A. That I was interested and that I would like to talk  
19 to Edward Blum.

20 Q. Okay. And what did you think you were interested  
21 in?

22 MR. STRAWBRIDGE: Object to the form of the  
23 question.

24 THE WITNESS: In being part of something that, in  
25 my opinion, could be beneficial for college applicants.

1 BY MR. SCUDDER:

2 Q. Who runs Students For Fair Admissions?

3 A. Edward --

4 MR. STRAWBRIDGE: I'm sorry. Object to the form of  
5 the question. Go ahead.

6 THE WITNESS: Edward Blum is the president and  
7 there is a board with one elected member, they run the  
8 organization to the best of my knowledge.

9 BY MR. SCUDDER:

10 Q. And are you involved in Students For Fair  
11 Admissions?

12 A. I am a member.

13 Q. When did you join as a member?

14 A. In like fall of 2014, early November.

15 Q. And why do you put it at that point in time?

16 A. Because I believe that's when -- because I had -- I  
17 knew it was before the complaint was filed and I knew that  
18 it was after I had had several less formal discussions or a  
19 couple less formal discussions with Edward Blum and the  
20 lawyers on the case.

21 Q. Okay. And why did you decide to become a member?

22 A. Because I believe that it is a good cause and  
23 because I feel as though I would be a valuable member.

24 Q. And why did you feel that way?

25 A. For the -- because I'm an applicant who is not an

1 under-represented minority according to UNC Chapel Hill, I  
2 have, I think, pretty good credentials on my application,  
3 and I did not get into UNC Chapel Hill.

4 Q. Okay. So --

5 A. Those are the reasons.

6 Q. Okay. And before you joined, what did you think  
7 you would do as a member or have to do as a member?

8 A. Very little. As far as day-to-day operations, very  
9 little.

10 Q. Okay. Anything otherwise that you would have to  
11 do?

12 A. I thought that I would have to perhaps testify,  
13 which I suppose is being fulfilled by this.

14 Q. Pretty good guess. And these are things that you  
15 thought before you joined?

16 A. Yes, as I -- yes.

17 Q. Okay. Did you have any responsibilities that you  
18 anticipated having to fulfill otherwise as a member?

19 A. No.

20 Q. Any duties, obligations?

21 A. I believe I was -- I was supposed to believe in or  
22 agree with some aspect of the mission statement of SFFA, but  
23 beyond that and what I have already mentioned, no. I'm not  
24 -- I was not aware of any other obligations.

25 Q. Anybody encourage you to join?

1 A. Yes.

2 Q. Do you recall any other discussions with him? I  
3 think the answer is no but I just want to confirm that.

4 MR. STRAWBRIDGE: Object to the form of the  
5 question.

6 THE WITNESS: No.

7 BY MR. SCUDDER:

8 Q. Okay. If I said the name Corey Lou, do you  
9 recognize that name at all?

10 A. No.

11 Q. Okay. So you said earlier that at some point  
12 before the complaint was filed that you joined the  
13 organization as a member, do you remember that?

14 A. Yes.

15 Q. Okay. What did you have to do to join as a member?

16 A. I had to provide my name and address and I had to  
17 in some way share the goals of the organization.

18 Q. When you say, share the goals, meaning agree with  
19 the goals? What do you mean by, share the goals?

20 A. I mean agree with the mission statement of the  
21 organization in part or in whole.

22 Q. Did you have to fill out like a written  
23 application?

24 A. Oh, no, nothing like that.

25 Q. Okay. And what do you remember doing to become a



1 A. No.

2 Q. Okay. As a member of Students For Fair Admissions,  
3 do you have any chance -- do you understand that you have  
4 any chance or opportunity to help the organization make any  
5 decisions?

6 A. I feel as though I have.

7 Q. And why do you feel that way?

8 MR. STRAWBRIDGE: I'll just caution the witness,  
9 don't disclose the contents of any specific communications  
10 but you can discuss generally why you feel. Answer the  
11 question.

12 THE WITNESS: I have been able to discuss certain  
13 of my concerns with leaders of the organization and they  
14 seemed receptive of my feedback.

15 BY MR. SCUDDER:

16 Q. And is this after you've become a member?

17 A. Yes.

18 Q. Okay. And -- okay. Does Students For Fair  
19 Admissions, does it ever have any meetings for members that  
20 you know of?

21 A. Not that I know of.

22 Q. Are there ever any like conference calls that are  
23 pulled together available to you as a member of the  
24 organization?

25 A. Not that I know of.

1 Q. Are there ever any -- to your knowledge, does the  
2 organization have any events or host any events?

3 A. Not that I know of.

4 Q. Have you ever attended any event of the  
5 organization?

6 A. No.

7 MR. STRAWBRIDGE: I'm going to object to the  
8 question. There's already been an answer for the record but  
9 I instruct the witness not to answer about his particular  
10 attendance at any events, member attendance at events is  
11 outside the scope of what we've agreed do provide testimony  
12 on.

13 BY MR. SCUDDER:

14 Q. You said earlier that you understood that you had a  
15 right to like withdraw or basically cease being a member,  
16 quit being a member effectively?

17 A. Yes.

18 Q. Unless you do that, you'll be a member forever?

19 MR. STRAWBRIDGE: Object to the form of the  
20 question.

21 THE WITNESS: Yes. I guess if I don't leave, I  
22 would remain a member.

23 BY MR. SCUDDER:

24 Q. In the time that you've been a member, have you had  
25 to renew your membership or anything?

1 A. Yes.

2 Q. Why do you believe that?

3 A. Because these facts match facts from my life and my  
4 test scores, achievements, and stuff.

5 Q. Okay. And fair to say that you would have provided  
6 this information to somebody so it could make its way into  
7 this complaint?

8 A. Yes.

9 Q. Okay. And, obviously, before the complaint was  
10 filed?

11 A. Yes.

12 Q. Okay. Did you, as a -- as a member, did you vote  
13 on the complaint being filed?

14 A. No.

15 Q. Okay. Let's take a look at those paragraphs  
16 starting with paragraph 13. We're just going to march on  
17 through them if that's okay with you?

18 A. Yes, that's okay.

19 Q. So paragraph 13 says that Students For Fair  
20 Admissions has at least one member applicant who applied for  
21 and was denied admission to UNC Chapel Hill's 2014 entering  
22 class. Do you see that?

23 A. Yes.

24 Q. Okay. And to your knowledge, is that accurate?

25 A. Yes.

1 Q. Okay. Paragraph 14 says that the applicant is  
2 white, correct?

3 A. Yes.

4 Q. And earlier you said, I believe, or I had heard you  
5 to say that you were -- you were not an under-represented  
6 minority according to or under the rules of University of  
7 North Carolina at Chapel Hill. Do you remember making a  
8 statement like that?

9 MR. STRAWBRIDGE: Object to the form.

10 THE WITNESS: Yes.

11 BY MR. SCUDDER:

12 Q. Okay. And how do you know that?

13 A. Because I'm not a minority.

14 Q. Okay. And on your -- on the application that you  
15 filled out and submitted to the university, did you disclose  
16 your race and ethnicity?

17 A. I do not recall whether -- I don't recall whether I  
18 checked the white box or the prefer not to answer box.

19 Q. Okay. You just don't remember either way?

20 A. I don't remember. I'd have to look at a copy of  
21 it.

22 Q. Okay. Let's go to paragraph 15. Applicant had a  
23 weighted GPA of 4.4839 at a public high school that U.S.  
24 News and World Report ranked as one of the top five high  
25 schools in North Carolina and the top -- and in the top one

1 percent of all high schools nationwide. Do you see that?

2 A. Yes.

3 Q. The statement about the weighted grade point  
4 average of 4.4839, was that your grade point average at that  
5 time that you applied or at the time that you graduated from  
6 high school?

7 A. I don't remember. I believe it was from the time  
8 at which I applied; however, I don't remember the specific  
9 numbers from -- and I didn't fail all of my classes that  
10 last semester or anything like that either.

11 Q. Okay. And what makes you think it was at the time  
12 that you applied, why is that your instinct?

13 A. Because I believe I used the application to get  
14 much -- or collect much of this information.

15 Q. Okay. And let's go over to the top of the next  
16 page, paragraph 16, the applicant achieved a score of 2180  
17 on the SAT 1, and I'll just let -- the document speaks for  
18 itself -- I'll just let you read the rest of that paragraph  
19 there. Do you see that there?

20 A. Yes.

21 Q. Paragraph 16?

22 A. Yes.

23 Q. And to your knowledge, is the information about the  
24 results of your standardized testing that appear in  
25 paragraph 16, is that accurate to your knowledge?

1 A. Yes.

2 Q. Paragraph 17 says, the applicant completed five  
3 Advanced Placement or AP courses scoring a perfect five on  
4 all but one AP exam and scoring a four on the other,  
5 applicant was named an AP Scholar of Distinction. Do you  
6 see that?

7 A. Yes.

8 Q. Okay. At the time that you applied, had you  
9 completed five Advanced Placement courses in high school?

10 A. I think so but, again, that's something that I  
11 would probably have to look at a record to recall exactly.  
12 I don't remember my specific schedule.

13 Q. Do you remember your senior year in high school?

14 A. Yes.

15 Q. Do you remember the classes that you took?

16 A. Yes. Some of them.

17 Q. The question I have is, do you remember whether any  
18 of the classes you took your senior year, were any of those  
19 classes AP classes?

20 A. Yes. However, I'm not sure whether or not those  
21 are accounted for in here. Again, my instinct would tell me  
22 that they are or that they are -- that they are not.

23 Q. They're not? So your --

24 A. Same as the GPA.

25 Q. Your instinct tells you at the time you applied,

1 best of your recollection, you had completed five Advanced  
2 Placement courses as paragraph 17 says?

3 A. Yes.

4 Q. Okay. Paragraph 18 says, while in high school the  
5 applicant participated in numerous extracurricular and  
6 volunteer activities. Among other things, applicant was a  
7 member of the varsity cross country team, a teaching  
8 associate for students in Latin two, completed a collegiate  
9 computer programming course, and held a part-time job.

10 Did I read that accurately there?

11 A. Yes.

12 Q. Okay. And is that information in paragraph 18, is  
13 that accurate to the best of your knowledge?

14 A. Yes.

15 Q. Okay. What part-time job did you hold?

16 A. I was a barista at a Starbucks inside of a Harris  
17 Teeter.

18 Q. Okay. And did that during the school year?

19 A. Yes.

20 Q. How many hours a week did you work?

21 A. Usually about 15.

22 Q. Do you know whether you included that information  
23 in your application to UNC Chapel Hill?

24 A. I believe I did. Again, I would need to see the  
25 application to recall exactly.

1 Q. Okay. By being -- with this information in the  
2 complaint, information about you, the applicant, starting in  
3 paragraph 13 and working over to page 9 as we just talked  
4 about, is that the information that makes you a standing  
5 member, to your knowledge?

6 MR. STRAWBRIDGE: Object to the form of the  
7 question.

8 THE WITNESS: Yes.

9 BY MR. SCUDDER:

10 Q. Okay. And were you asked to play this role in the  
11 litigation or did you seek to?

12 A. I was asked to.

13 Q. Okay. And without revealing the conversation, by  
14 who?

15 A. By Edward Blum.

16 Q. Okay. And was that in one of those three meetings  
17 that we talked about earlier this morning?

18 A. Yes.

19 Q. And were you, just to confirm this, I think it's  
20 true, but you were aware of the fact that your name would be  
21 maintained in confidence within the confines of the  
22 litigation but it would be disclosed to lawyers for the  
23 University of North Carolina at Chapel Hill?

24 A. Yes.

25 (Defense Exhibit 20 marked for identification.)